

AN ORDINANCE 101901

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 4.826 acres out of NCB 14868 from "C-3" General Commercial District to "MF-33" Multi-Family District.

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective on December 25, 2005.

PASSED AND APPROVED this 15th day of December, 2005.


ATTEST:


City Clerk


M A Y O R

For

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: Z-16.

Date: 12/15/05

Time: 04:53:25 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2005252 (District 8): An Ordinance changing the zoning boundary from "C-3" General Commercial District to "MF-33" Multi-Family District on 4.826 acres out of NCB 14868, 6500 Block of Babcock Road, as requested by Mi Valle Partners, Ltd., Applicant, for Mi Valle Partners, Ltd., Owner(s). Staff and Zoning Commission have recommended approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR		x		

DESCRIPTION OF A 4.826 ACRE TRACT OF LAND

Being a 4.826 acre tract of land known as Lots P-49 and the Southeast Portion of Lot P-52, N.C.B. 14868 as described in Volume 10568 Page 01524 of the Deed Records of Bexar County, Texas and being more particularly described as follows:

Beginning at a point on the Northeast corner of Lot P-49, N.C.B. 14868, also being the Southeast corner of Lot 2 Block 10, N.C.B. 16030. This being the **POINT OF BEGINNING**.

THENCE: S00°01'35"E for a distance of 118.27 feet along the east property line, this line also being the west right-of-way line for Babcock Road. To the southeast corner of Lot P-49, N.C.B. 14868.

THENCE: N89°13'18"W for a distance of 697.29 feet along the south property line of Lot P-49, N.C.B. 14868. To the southwest corner of Lot P-49, N.C.B. 14868, this point also being the southeast corner of Lot P-51, N.C.B. 14868.

THENCE: N00°31'15"W for a distance of 403.94 feet along the west property line of Lot P-49, & P-52, N.C.B. 14868. This line also being the east property line of Lot P-51, N.C.B. 14868.

THENCE: S89°14'53"E for a distance of 448.37 feet.

THENCE: S00°32'24"E for a distance of 295.08 feet to a corner. This corner being the southeast corner of Lot 2, Block 10, N.C.B. 16030.

THENCE: S89°58'25"E for a distance of 254.42 feet to the **POINT OF BEGINNING** and containing a total of 4.826 acres of land more or less.

EXHIBIT A

To Ordinance No. _____
Passed and Approved on
December 15, 2005

CASE NO: Z2005252

Staff and Zoning Commission Recommendation - City Council

Date: December 15, 2005

Zoning Commission Meeting Date: November 15, 2005

Council District: 8

Ferguson Map: 548 A2

Appeal:

Applicant:	<u>Owner</u>
Mi Valle Partners, Ltd.	Mi Valle Partners, Ltd.

Zoning Request: From "C-3" General Commercial District to "MF-33" Multi-Family District
4.826 acres out of NCB 14868

Property Location: Approximate Southwest Corner of Babcock Road and De Zavala Road

Proposal: To make consistent with its intended use

Neighborhood Association: Babcock North Neighborhood Association / Tanglewood Neighborhood Association is within 200 feet

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis may be required during plat or building permit review.

Staff Recommendation:
Approval

The requested zoning is consistent with the current "MF-33" zoning districts in place to the west and to the south. The property to the west will be used in conjunction with the subject properties to develop a multi-family land use. Consequently, the requested zoning will allow multi-family uses, contribute to a diversity of housing types and styles in the area and serve as a transition from the commercial uses to the north and the single-family residential use to the south.

The subject properties, Lots 49 and part of Lot 52, are currently undeveloped, and both lots are presently zoned "C-3." Lot 49 was rezoned from the "R-1" district to the "B-2" district and Lot 52 was rezoned from the "R-1" district to the "B-3" district in November of 1973. In December of 1997, Lot 49 was rezoned again from "B-2" to "B-3," making both properties "B-3." Following an amendment to the Unified Development Code in 2001, the zoning of both properties was converted to the "C-3" zoning district. Lot 49 has a single frontage along Babcock Road, while Lot 52 also fronts along Babcock Road with a secondary frontage near the intersection of Babcock Road and De Zavala Road. The portion of Lot 52 that is included in the zoning application does not front on any street. The portions of this lot not included in the application that do have street frontage will retain the "C-3" zoning.

The property to the west, also owned by the applicant, is presently zoned "MF-33" and undeveloped. There is a single-family subdivision immediately to the south that also is located within the "MF-33" zoning district.

CASE NO: Z2005252

Staff and Zoning Commission Recommendation - City Council

Properties north of the subject rezone area are zoned "C-3," and properties to the east, across Babcock Road, are presently zoned "C-2" and "C-3." Only one adjacent parcel has an existing commercial use and this is the Tile Depot to the south.

Zoning Commission Recommendation:

Approval

CASE MANAGER : Matthew Taylor 207-5876

VOTE

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2005252

ZONING CASE NO. Z2005252 -- November 15, 2005

Applicant: Mi Valle Partners, Ltd.

Zoning Request: "C-3" General Commercial District to "MF-33" Multi-Family District

Tony Saucedo, 100 Broadway, representing the owner, stated that they propose a multi-family and commercial development.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no responses from the Babcock North Neighborhood Association / Tanglewood Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Stribling and seconded by Commissioner McAden to recommend approval.

1. Property is located on 4.826 acres out of NCB 14868 at the Southwest corner of Babcock Road and De Zavala Road.
2. There were 15 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends approval.

AYES: Martinez, Robbins, Rodriguez, Kissling, Farias, Marshall, Sherrill, McAden, Avila, Stribling, Gray

NAYS: None

THE MOTION CARRIED.

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

